

REMARKS

On January 23, 2009, the Examiner issued an Election/Restriction Requirement for Applicants to elect one of the following groups of pending claims for examination:

Group I: Claims 1-2, 6-8, 12-14, 16, 18-21, drawn to a method and system of processing information in a communications device, or

Group II: Claims 22, 25-37, 39-53, drawn to a method and system of facilitating distribution of content among devices in an authorized agent.

In response, Applicants elect **Group I, claims 1-2, 6-8, 12-14, 16, 18-21** for examination at this time. **This election is made with traverse.**

Applicants respectfully traverse this restriction requirement as being improper at least upon the basis that the inventions are not independent and distinct from each for the following reasons:

(1). The inventions are not independent and distinct from each for the following reasons:

i) System claims 14-21 are linking claims that link claims associated with the communication device and claims (1-6: method and 7-13 device) and claims associated with authorized agent(22-35: method and 36-48: device). The examiner claims that the claims 22-35 and 36-48 (in invention II) are sub-combination compared to invention I.

ii) Examiner claims that sub-combination (group II) has separate utility such as distributing content to authorized recipients and that group I does not require that information be distributed. However, claim 19 in group I claims the system comprises the content distributor and in claim 20 (group I) the system comprises the remote device and the remote device receives the content item from the content distributor. Also first element of claim 1 indicates the receiving of super-distributed content. These facts contradict what the examiner claims in point 5 of the restriction requirement.

(2). Applicants have demonstrated and respectfully submit that: (i) all groups of claims are properly presented in the same application; (ii) undue diverse searching should not be required; and (iii) all claims should be examined together. For the foregoing reasons, it is respectfully submitted that the restriction/election requirement should be withdrawn and an action on the merits of all the claims is respectfully solicited.

In view of the above, the Applicants further reserve the right to file appropriate divisional applications based on any or all of the non-elected claims.

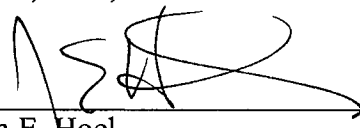
AUTHORIZATION

The Response is timely filed. Thus, no fee is due by filing of this paper. However, the Commissioner is authorized to charge any additional fees which may be required for timely consideration of this response, or credit any overpayment to Deposit Account No. 50-4827, Order No. 4208-4143.

Respectfully submitted,
Locke, Lord, Bissell & Brook LLP

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By: _____


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